

VIRGINIA:

BEFORE THE BOARD OF SOCIAL WORK

IN RE: HOWARD VIDAVER, L.C.S.W.

ORDER

Pursuant to §§ 2.2-4019, 2.2-4021, and § 54.1-2400(10) of the Code of Virginia (1950), as amended ("Code"), a Special Conference Committee ("Committee") of the Virginia Board of Social Work ("Board") met on April 4, 2007, in Henrico County, Virginia, to inquire into evidence that Howard Vidaver, L.C.S.W., may have violated certain laws and regulations governing clinical social work practice in Virginia. Mr. Vidaver was present and was represented by Michael Goodman, Esq. Upon consideration of the evidence, the Committee adopts the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. Howard Vidaver, L.C.S.W., was issued license No. 0904-000337 to practice clinical social work in the Commonwealth of Virginia on September 30, 1980. Said license expires on June 30, 2007.
2. Although sessions discussing termination with Client A took place in 1996, by Mr. Vidaver's own admission, continuation of therapeutic support continued via email between 1996 and 1999.
3. Client A stated to the Committee that she re-contacted Mr. Vidaver in 1999 because of a recurrence of personal problems and distress and Mr. Vidaver set up an office appointment in the same office where they had their last sessions in 1996.
4. By his own admission, from approximately 1999, when Client A met with Mr. Vidaver for the office appointment referenced above, until approximately Spring 2002, Mr.

Vidaver engaged in sexual intimacies with Client A on a regular basis in his office. During this time, he also discussed intimate details of his personal life with Client A.

5. Mr. Vidaver failed to recognize Client A's transference from the therapeutic relationship.

6. By his own admission to the DHP investigator, Mr. Vidaver "grossly misjudged Client A's level of vulnerability." Client A confirmed to the Committee that harm was done to her by virtue of having a sexual relationship with her therapist.

7. The Committee concluded that there was substantial harm done to Client A.

CONCLUSIONS OF LAW

Findings of Fact No. 4, 6, and 7 constitute a violation of 18 VAC 140-20-150(1), (2), and (9), and 18 VAC 140-20-160(3), (5), and (8) of the Board of Social Work Regulations.

ORDER

On the basis of the foregoing, the Committee hereby ORDERS as follows:

1. Howard Vidaver, L.C.S.W., be placed on PROBATION for not less than two (2) years and subject to the following terms and conditions:

a. The period of probation shall begin on the date that this Order is entered and shall continue for not less than two (2) years. After two years, Dr. Vidaver may petition for termination of probation. Upon receipt of his petition and a Report of Probation, the Committee will review Dr. Vidaver's compliance with the terms and conditions of this Order for a determination, and reserves the right to convene an informal conference for consideration of his petition and review of his compliance.

b. Mr. Vidaver shall enter into individual supervision of his practice with a Board-approved supervisor no later than thirty (30) days following the date this Order is final.

Said supervisor shall submit his/her resume, qualifications and credentials to the Board for approval, and shall act as a duly constituted agent of the Board. Mr. Vidaver shall meet with his supervisor within fifteen (15) days of the date of approval for the purpose of beginning supervision. Mr. Vidaver will insure that the Board-approved supervisor receives a copy of this Order prior to the commencement of supervision. Prior to any change of supervision, Mr. Vidaver must obtain Board approval.

c. Mr. Vidaver and his supervisor shall meet in person at least one (1) time a month during the period of probation, in a supervisory session for the purpose of engaging in continuous audit and monitoring of Mr. Vidaver's practice, with special emphasis on transference/countertransference, boundary issues, and dual relationships.

d. Mr. Vidaver's clinical practice shall be restricted to couples therapy and individual therapy with male clients.

e. Mr. Vidaver shall not provide supervision to practitioners preparing for licensure or to students.

2. Any violation of the terms and conditions stated in this Order shall be reason for revoking the license of Howard Vidaver, L.C.S.W., and an administrative proceeding shall be held to decide whether his license should be revoked.

3. Mr. Vidaver shall maintain a course of conduct in his capacity as a clinical social worker commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Board of Social Work Regulations.

The Committee reserves the right to re-convene the informal conference for modification of the terms and conditions of this Order.

Pursuant to §§ 2.2-4023 and § 54.1-2400.2 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as public record and shall be made available for public inspection or copying on request.

FOR THE COMMITTEE



Evelyn B. Brown
Executive Director, Virginia Board of Social Work

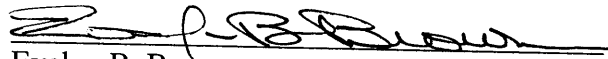
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NOTICE OF RIGHT TO FORMAL HEARING

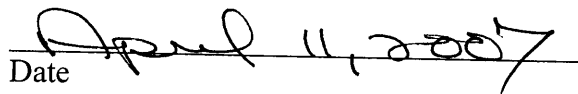
If you do not consent to the Committee's decision and desire a hearing before the Board or a panel thereof, you shall notify, in writing, Evelyn B. Brown, Executive Director of the Board of Social Work, 6603 West Broad Street, Fifth Floor, Richmond, Virginia 23230-1712, within 33 days of the date of entry of this Order. This Order shall become final upon expiration of the 33-day period unless a request for a formal hearing is received within such time. Upon receiving a timely request for a hearing, this Order shall be vacated and the Board or a panel thereof shall proceed with a hearing as provided in § 2.2-4020 *et seq.* of the Code.

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Order was mailed, by certified and regular mail, this day to Howard Vidaver, L.C.S.W., at 2120 Ivy Road, Suite E, Charlottesville, VA 22903, and to Michael L. Goodman, Esquire, at Goodman & Filetti, PLLC, 4501 Highwoods Parkway, Suite 210, Glen Allen, VA 23060.



Evelyn B. Brown
Executive Director, Virginia Board of Social Work


Date